

BOARD OF APPEALS

December 10, 2025

County Administration Building, 100 W. Washington St., Meeting Room 2000, Hagerstown, at 6:00 p.m.

AGENDA

AP2025-025: Sharpsburg Pike Holding LLC is charging administrative error of the Zoning Administer stating the interpretation of Section 22.23(e) regarding “Use on the Premises Signs” is incorrect for installation of a freestanding sign that would advertise the uses(s) or tenant(s) on adjacent parcels. An appeal was also filed for a variance from the requirement of a property to have a lot frontage of at least 40 ft. in width to be reduced to 25 ft. and a variance from the 25 ft. setback for the sign support structure from the road right-of-way to 10 ft. for proposed freestanding sign on the property owned by the appellant and located at 10440 Vida Drive, Hagerstown, Zoned Highway Interchange District. **-BOARD UPHeld THE ZONING ADMINISTER'S OPINION, VARAINCES WERE NOT ACTIONED BY THE BOARD.**

AP2025-029: An appeal was filed by 9738 Downsville Pike LLC for a special exception to establish a resident business for an accounting office in accessory structure on property owned by the appellant and located at 9738 Downsville Pike, Hagerstown, Zoned Agricultural Rural District. - **GRANTED**

Pursuant to the Maryland Open Meetings Law, notice is hereby given that the deliberations of the Board of Zoning Appeals are open to the public. Furthermore, the Board, at its discretion, may render a decision as to some or all of the cases at the hearing described above or at a subsequent hearing, the date and time of which will be announced prior to the conclusion of the public hearing. Individuals requiring special accommodations are requested to contact Katie Rathvon at 240-313-2464 Voice, 240-313-2130 Voice/TDD no later than December 1, 2025. Any person desiring a stenographic transcript shall be responsible for supplying a competent stenographer.

The Board of Appeals reserves the right to vary the order in which the cases are called. Please take note of the Amended Rules of Procedure (Adopted July 5, 2006), Public Hearing, Section 4(d) which states:

Applicants shall have ten (10) minutes in which to present their request and may, upon request to and permission of the Board, receive an additional twenty (20) minutes for their presentation. Following the Applicant's case in chief, other individuals may receive three (3) minutes to testify, except in the circumstance where an individual is representing a group, in which case said individual shall be given eight (8) minutes to testify.

Those Applicants requesting the additional twenty (20) minutes shall have their case automatically moved to the end of the docket.

For extraordinary cause, the Board may extend any time period set forth herein, or otherwise modify or suspend these Rules, to uphold the spirit of the Ordinance and to do substantial justice.

Tracie Felker, Chairman

Board of Zoning Appeals



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P: 240.313.2430 | F: 240.313.2431 | Hearing Impaired: 7-1-1

ZONING APPEAL

Property Owner: Sharpsburg Pike Holding LLC
1741 Dual Highway
Suite B
Hagerstown MD 21740

Appellant: Sharpsburg Pike Holding
1741 Dual Highway
Suite B
Hagerstown MD 21740

Property Location: 10440 Vida Drive
Hagerstown, MD 21740

Description Of Appeal: Charging administrative error of the Zoning Administer stating the interpretation of Section 22.23(e) regarding "Use on the Premises Signs" is incorrect for installation of a freestanding sign that would advertise the use(s) or tenant(s) on adjacent parcels.
Variance from the requirement for a property to have a lot frontage of at least 40 ft. in width to be reduced down to 25 ft. and a variance from the 25 ft. setback for the sign support structure from the road right-of-way to 10 ft. for proposed freestanding sign.

Appellant's Legal Interest In Above Property:

Owner:	Yes	Contract to Rent/Lease:	No
Lessee:	No	Contract to Purchase:	No
Other:			

Previous Petition/Appeal Docket No(s):

Applicable Ordinance Sections: Washington County Zoning Ordinance Section: 22.23 (3)

Reason For Hardship: See justification statement

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Commercial Lot

Proposed Use: Freestanding Sign

Previous Use Ceased For At Least 6 Months:

Date Ceased:

Area Devoted To Non-Conforming Use -

Existing:

Proposed:

I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this _____ day of October, 2025.

Kathryn B Rathvon
NOTARY PUBLIC
WASHINGTON COUNTY
MARYLAND
MY COMMISSION EXPIRES NOVEMBER 07, 2025



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P 240.313.2430 | F 240.313.2431 | Hearing Impaired: 7-1-1

AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2025-025

State of Maryland Washington County, To Wit:

On 10/2/2025, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Frederick Seibert & Associates Inc and made oath in due form of law as follows:

Frederick Seibert & Associates Inc will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 10/29/2025, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 10/14/2025 and will remain until after the above hearing date.

Frederick Seibert & Associates Inc

Sworn and subscribed before me the day and year first above written.

Kathryn B Rathvon
NOTARY PUBLIC
WASHINGTON COUNTY
MARYLAND
MY COMMISSION EXPIRES NOVEMBER 07, 2025

Notary Public

Seal

My Commission Expires



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P: 240.313.2430 | F: 240.313.2431 | Hearing Impaired: 7-1-1

BOARD OF ZONING APPEALS

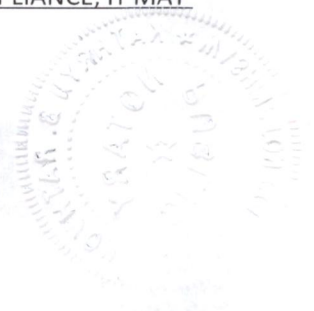
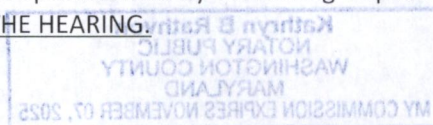
ATTENTION!

Posting Instructions

The premises MUST be posted in accordance with the following rules:

1. The sign must be posted a minimum of fourteen (14) days prior to the public hearing
Section 25.51(c) Property upon which the application or appeal is concerned shall be posted conspicuously by a zoning notice no less in size than twenty-two (22) inches by twenty-eight (28) inches at least fourteen (14) days before the date of the hearing.
2. The sign must be placed on the property within ten (10) feet of the property line which abuts the most traveled public road.
3. The sign must be posted in a conspicuous manner not over six (6) feet above the ground level, and affixed to a sturdy frame where it will be clearly visible and legible to the public.
4. The sign shall be maintained at all times by the applicant until after the public hearing. If a new sign is needed or required, please contact the Plan Review Department at 240-313-2460.
5. An affidavit certifying the property will be posted for the minimum of fourteen (14) days prior to the public hearing date.

Proper posting of the sign will be spot checked by the Zoning Inspector. IF SIGN IS NOT IN COMPLIANCE, IT MAY RESULT IN RESCHEDULING OF THE HEARING.





Washington County
MARYLAND

BOARD OF ZONING APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that ED SCHREIBER
is authorized to file an appeal with the Washington County Board of Appeals for
ADMINISTRATIVE ERROR AND VARIANCES on property
located 10440 VIDAR DR, HAGERSTOWN MD 21740
The said work is authorized by SHARPSBURG PIKE HOLDING LLC
the property owner in fee.

PROPERTY OWNER

ADAM SHAOOL

ASHAOL@WASHCODEVELOPMENTS.
COM

240-527-9014

SHARPSBURG PIKE HOLDING, LLC

Name

1741 DUAL HIGHWAY STE B

Address

HAGERSTOWN, MD 21740

City, State, Zip Code

[Signature]

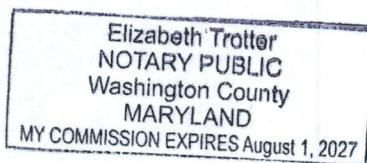
Owner's Signature

Sworn and subscribed before me this 26 day of September, 2025.

Elizabeth Trotter

Notary Public

My Commission Expires:



AUTHORIZED REPRESENTATIVE

ED SCHREIBER

Name

128 S. POTOMAC ST

Address

HAGERSTOWN MD 21740

City, State, Zip Code

[Signature]

Authorized Representative's Signature

Sworn and subscribed before me this 29 day of September, 2025.

Nikki S. Eichelberger

Notary Public

My Commission Expires: 9/15/2028

80 West Baltimore Street | Hagerstown, MD 21740 | P: 240.313.2460 | P: 240.313.2461 | Hearing Impaired: 7-1-1

Ed J. Schreiber

From: Baker, Jill <JBaker@washco-md.net>
Sent: Wednesday, September 10, 2025 11:37 AM
To: Ed J. Schreiber
Cc: Trevor M. Frederick; Rathvon, Kathryn B.
Subject: RE: 10440 Vida Drive, Shops at Sharpsburg, FSA 5563
Attachments: 5563 Sign BZA.pdf

9/10 EMAIL FROM PLANNING DIRECTOR/ZONING ADMIN.
I have reviewed your request and offer the following opinion.

As you eluded to in your request for review, the ordinance says that, "Individual businesses or industrial establishments may erect a free-standing business sign, provided the lot frontage is at least 40 ft." (Section 22.23(e)). This regulation pertains to "Use on the Premises Signs". Because the sign being proposed will be on a separate premises from where the use(s) is/are taking place, it would be considered an 'Outdoor Advertising Sign' and the regulations in Section 22.24 will apply. I also need to point out that the tenant of Lot 2 already has one freestanding sign advertising their business. You also state that the sign being proposed will function in the same manner as a pylon sign in a shopping center. There is no regulatory language to allow for functionally similar signage. Either it is on-premises, or it is off-premises.

It is clear from the location on the exhibit you provided (attached), that the sign would be located on a separate premises from the other lots in the commercial subdivision that you wish to advertise. It is my opinion that this sign meets the definition of an Outdoor Advertising Sign and must therefore conform to the regulations for that use.

Please consider this a formal written opinion in response to your request for review. This opinion may be appealed to the Board of Zoning Appeals charging Administrative Error within 30 days of the sent date of this email. If you have any further questions or concerns, please let me know.

Jill



Jill Baker, AICP
Director/Zoning Administrator
747 Northern Avenue
Hagerstown, MD 21742
Phone: (240) 313-2433
E-mail: jbaker@washco-md.net
Website: www.washco-md.net

Get Connected and See Updates



NOTICE: This e-mail, including any attachments, is intended solely for the use of the addressee(s) and may contain confidential, proprietary, and privileged information, the unauthorized disclosure or use of which is prohibited. If you are not the intended recipient of this email or if you received this e-mail in error, please immediately notify the sender by reply email and delete this e-mail and any attachments from your system. Thank you.

From: Ed J. Schreiber <ESchreiber@fsa-inc.com>

Sent: Thursday, August 14, 2025 9:32 AM

To: Baker, Jill <JBaker@washco-md.net>

Cc: Trevor M. Frederick <TFrederick@fsa-inc.com>; Rathvon, Kathryn B. <krathvon@washco-md.net>

Subject: 10440 Vida Drive, Shops at Sharpsburg, FSA 5563

8/14/25 EMAIL FROM APPLICANT

WARNING!! This message originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Any claims of being a County official or employee should be disregarded.

Jill,

Please accept this email as a request for your determination to allow the Board of Zoning Appeals hear a request for a freestanding sign to serve as an outdoor advertising sign. Section 22.23(e) of the Washington County Zoning Ordinance states that individual businesses are permitted a freestanding sign to advertise the use or tenant on the same lot as the freestanding sign. We have a project that several commercial lots have been created and each are proposed to be occupied by individual businesses. Four (4) of the six (6) lots created have panhandles that are approximately 250 feet in length or the main body of the lot is 300 feet from the main road frontage. These lots are range is size from .69 acres to 7.84 acres give the appearance of a small shopping center of smaller individual buildings and occupants. This enclave of lots/buildings gives the appearance of a shopping center and it is the desire to construct an individual sign to advertise for all four (4) lots, not unlike a shopping center. What is proposed is nothing like a true "Outdoor Advertising" that would be seen along an interstate.

An attempt was made to file for a Board of Zoning Appeals variance to allow 1 freestanding sign advertise the businesses on 4 individual lots, reduce the front yard setback from 25' to 10' and reduce the 40' lot frontage requirement to 25' which is the width of the panhandle. At the time I was advised that a variance of this nature would not be entertained by the Board and that if I disagreed I would need to file for Administrative Error. This is my request for a written decision explaining why this variance will not be entertained by the Board so I may move forward with filing for Administrative error. I have included a sketch of the subject properties for a better understanding of the site.

Project Name: Shops of Sharpsburg Pike

Owner/Applicant: Sharpsburg Pike Holding LLC

Project Address: 10305 Ezra Dr, Hagerstown, MD 21740

Tax Map__57__ **Grid**__10__ **Parcel**__644__ **Lot**__4__

Account # 10009707

Zoning: HI

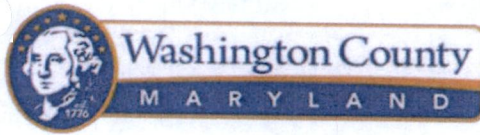
Variance request: From section 22.23(e) "Use on the Premises" signs. As stated in the Washington County Zoning Ordinance individual businesses are permitted a freestanding sign to advertise the use or tenant on the same lot as the freestanding sign. Also mentioned is that the sign must be 25' from the ROW. The applicant is requesting relief from the 25' setback requirement to 10', reduced lot width from 40' to 25' and that the freestanding sign may only advertise for the use on the lot that the sign would be constructed on and allow advertising for lots 2,6,7 & 8

In an effort to combine the advertising for 4 lots onto one sign the applicant is seeking to do the following:

1. Reduce clutter and confusion as to the tenants of each building and where to exit Sharpsburg Pike to get to said buildings.
2. Combining the signs of lots 2,6,7 & 8 is requested similar to the design of the private road that provides access to each lot. One access off of Sharpsburg Pike has been provided for several lots.
3. Reduction of the 25' setback is requested due to the odd configuration of the ROW in that area.

Undo burden is being placed on the applicant to provide individual freestanding signs not to mention the increased amount of clutter and confusion that is caused by multiple signs along the road.

Additional testimony will be provided at the hearing to support the applicants desire for combining signs and reducing the lot frontage requirement.



BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing Impaired:

7-1-1 WWW.WASHCO-MD.NET

Appeal Charging Error In Administrative Ruling or Action

Property Location: 10440 VIDA DR, HAGERSTOWN MD

Appellant's present legal interest in above property: (Check One)

X Owner (Including Joint Ownership) _____ Lessee _____ Contract to rent/lease
_____ Contract to Purchase _____ Other _____

Official or agency from whose ruling or action this appeal is made: PLANNING & ZONING DEPT
PLANNING DIRECTOR / ZONING ADMINISTRATOR

Date of ruling or action: 9/10/2025

On attached sheet please provide:

- Brief description of ruling or action from which this appeal is made. (Attach copy of ruling or document indicating such action) SEE EMAIL FROM 9/10
- Brief description of what, in Appellant's view, the ruling or action should have been. SEE EMAIL FROM 8/14
- Section/subsection of the Zoning Ordinance which Appellant contends was misinterpreted SEE EMAIL 8/14
- Error in fact, if any, involved in the ruling or action from which this appeal is made
- Error of law, if any, involved in the ruling or action from which this appeal is made
- Questions of fact, if any, presented to the Board of this appeal
- State of Appellant's interest, i.e. manner in which Appellant is aggrieved by the ruling or action complained of (as property owner or otherwise):

I hereby certify that I have, to the best of my knowledge, accurately supplied the information required for the above referenced appeal.

SEE AFFIDAVIT

Signature of Appellant

SEE AFFIDAVIT

Address of Appellant

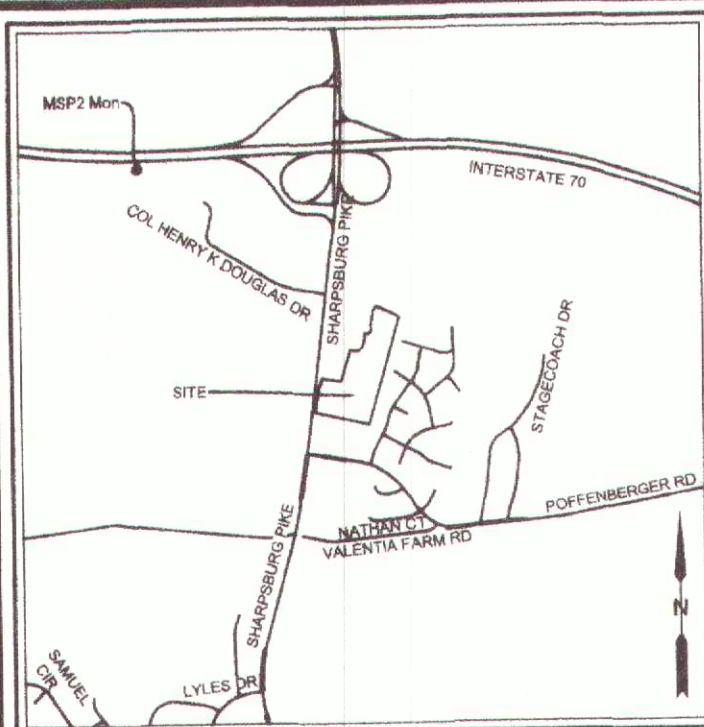
SEE AFFIDAVIT

Email of Appellant

SEE AFFIDAVIT

Phone Number of Appellant

This appeal form is to be used to assist the customer in gathering the information necessary to submit an application. However, the application shall be processed in person.



LEGEND

- = PROPERTY LINE
- - - = PROPOSED PROPERTY LINE
- - - = PROPERTY LINE TO BE VACATED
- - - = RIGHT OF WAY
- = PROPERTY CORNER

LOT & AREA TABULATION

13.50 Acres Lands of Sharsburg Pike Holding, LLC

- 1.27 Acres Lot 2
- 0.98 Acres Lot 4
- 0.81 Acres Lot 5
- 1.69 Acres Lot 6
- 0.78 Acres Lot 7
- 7.84 Acres Lot 8
- 0.15 Acres Ded. R/W for Sharsburg Pike
- 0.00 Acres Remaining

*For future development on Lots 4-8, see General Note #4 on Sheet 2 regarding MBSLs.

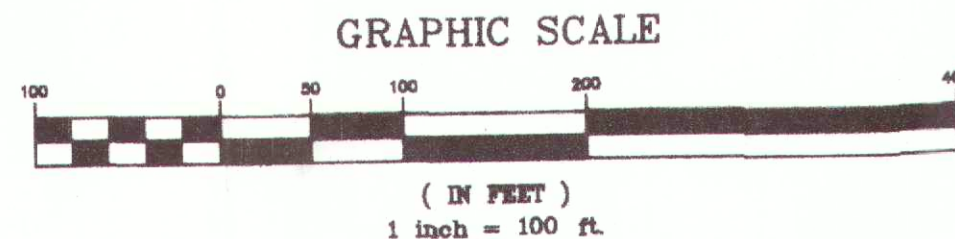
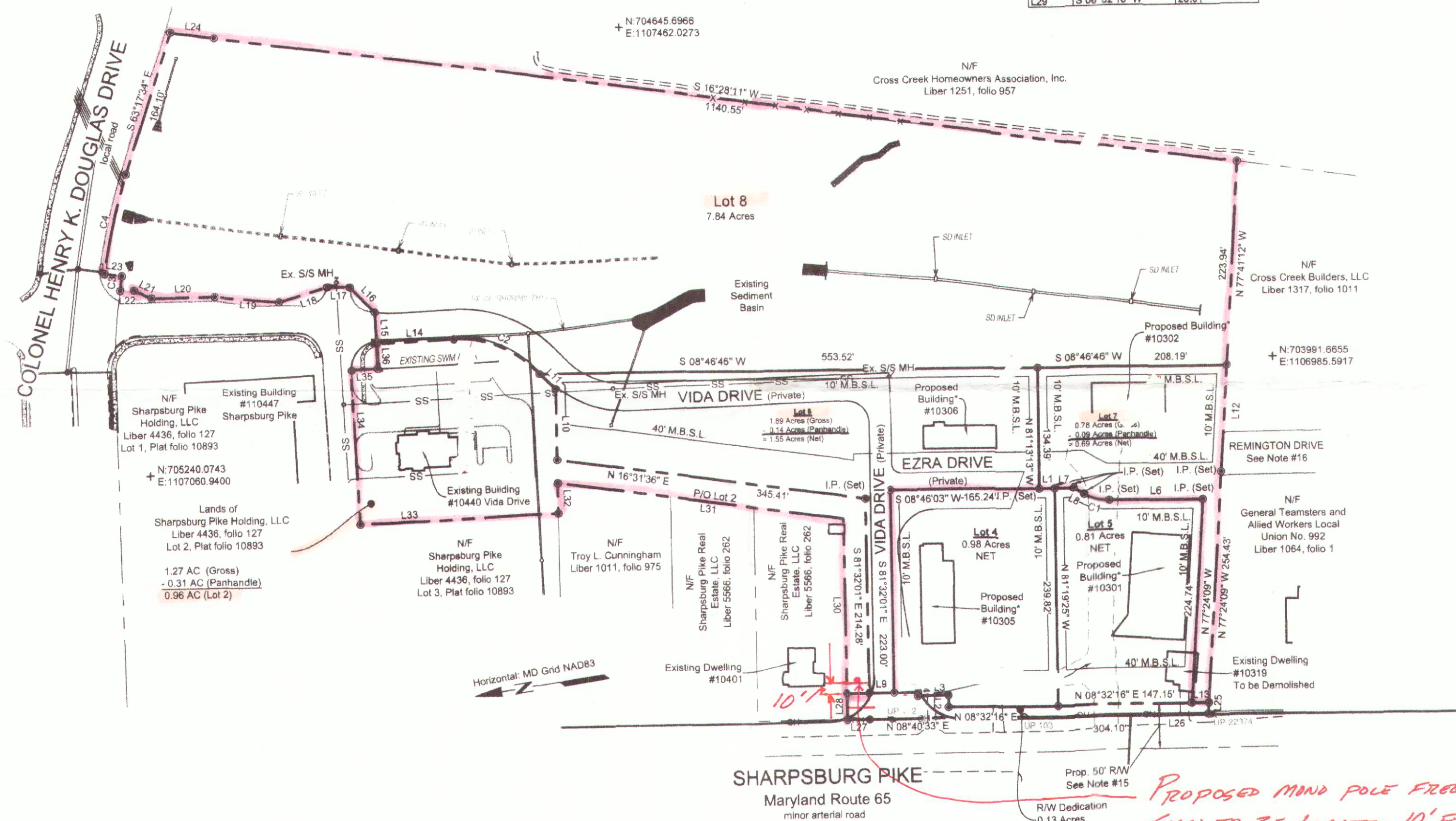
Sheet Index

Sheet 1 - Subdivision
Sheet 2 - Notes and Access Easement
Sheet 3 - SWM Easements
Sheet 4 - S/S and WL Easements

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	50.00'	28.14'	32°14'58"	S 24°53'32" W	27.77'
C2	118.00'	106.54'	51°43'58"	N 32°05'27" E	102.96'
C3	64.00'	16.17'	1°28'44"	S 73°33'03" E	16.17'
C4	860.00'	109.88'	9°32'20"	S 68°03'43" E	109.75'

LINE	BEARING	DISTANCE
L1	S 08°46'03" W	17.31'
L2	S 81°27'44" E	13.27'
L3	N 06°32'16" E	33.59'
L4	S 81°27'44" E	4.29'
L5	N 08°32'16" E	26.48'
L6	S 08°46'03" W	103.33'
L7	S 08°46'03" W	20.98'
L8	S 41°01'00" W	13.86'
L9	N 08°32'16" E	28.00'
L10	S 81°32'01" E	79.12'
L11	N 53°42'08" E	24.90'
L12	N 77°36'09" W	119.88'
L13	N 08°32'16" E	18.80'
L14	N 06°13'28" E	85.48'
L15	S 83°26'20" E	34.24'
L16	N 55°28'40" E	39.52'
L17	N 10°05'50" E	25.18'
L18	N 07°03'10" W	65.19'
L19	N 14°08'29" E	71.68'
L20	N 08°12'08" E	70.57'
L21	N 36°17'47" E	20.89'
L22	N 08°12'08" E	15.20'
L23	N 17°10'07" E	19.00'
L24	S 16°29'06" W	49.11'
L25	N 77°24'09" W	12.41'
L26	N 08°45'59" E	70.82'
L27	S 08°41'37" W	25.01'
L28	S 81°33'05" E	28.86'
L29	S 06°32'16" W	25.01'

LINE	BEARING	DISTANCE
L30	S 81°31'55" E	192.55'
L31	N 16°31'32" E	320.16'
L32	N 81°32'01" W	32.64'
L33	N 06°13'28" E	219.77'
L34	S 83°46'32" E	172.18'
L35	S 08°13'28" W	30.00'
L36	S 83°26'20" E	28.00'



PLAT NO **11758**
DATE **MAY 01 2024**
WASHINGTON COUNTY

Owner:
Sharsburg Pike Holding, LLC
1741 Dual Highway, Suite B
Hagerstown MD 21740



FSA
FREDERICK, SEIBERT & ASSOCIATES, INC.
CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS

128 SOUTH POTOMAC STREET
HAGERSTOWN, MD 21740
301.791.3850

606 SOUTH HANOVER STREET
CARLEISLE, PA 17033
717.791.8111

15 EAST MAIN STREET
NEW BLOOMFIELD, PA 17068
717.275.7301

FINAL PLAT OF SUBDIVISION
OF
LOTS 4-8
FOR
Sharsburg Pike Holding, LLC
SITUATE ALONG THE EAST SIDE OF SHARPSBURG PIKE
WASHINGTON COUNTY, MARYLAND

PROJECT NO.	5563.C
DWN BY	LEJ
DATE	2.17.2023
PROJECT MANAGER	TMF
EMAIL	TFrederick@fsa-inc.com
ELECTION DISTRICT	10
PROPERTY INFORMATION	57-10-160
ACCOUNT NO.	10-020174
SCALE	1" = 100'
SHEET TITLE	

FINAL PLAT OF
SUBDIVISION
S-23-020
SHEET 01 OF 04

Project Name: Resident Business for 9738 Downsville Pike LLC

Owner/Applicant: 9738 Downsville Pike LLC

Project Address: 9738 Downsville Pike, Hagerstown, MD 21740

Tax Map 56 **Grid** 23 **Parcel** 869

Account # 02-008386

Zoning: A(R)

Special Exception for a Resident Business

As outlined in Table 3.3(1) of the Washington County Zoning Ordinance, the proposed Resident Business Use requires a public hearing and approval by the Board of Zoning Appeals. The business will be operated by members of the family residing on the property, with no more than two (2) non-resident employees, as permitted by the ordinance.

The proposed resident business is an accounting office serving an existing Tri-State area business owned and operated by the owners of the land and will be located within an accessory building on the 123-acre farm. The existing dwelling on the property will be demolished and replaced with a new single-family residence to be occupied by the owners of the land.

The business will remain incidental and subordinate to the primary residential use of the property and complies with the following applicable criteria:

The use does not exceed more than five thousand (5,000) SF of the floor space of the dwelling or an accessory structure. **The applicant is proposing a 5,000 SF building.**

- A. The use will not generate vehicular parking that would exceed spaces for the employee & equipment. **Six (6) parking spaces are proposed.**
- B. Freight and delivery traffic shall not be to a greater extent than would normally result from a residential occupancy unless otherwise approved by the Board. **One or two UPS deliveries per day is anticipated.**
- C. Other non-residential vehicular traffic resulting from patronage will not exceed five (5) peak hour trips. **Very few additional trips are anticipated. The proposed use is to be an accounting office for**

an existing business, very little walk in traffic is currently experienced nor anticipated.

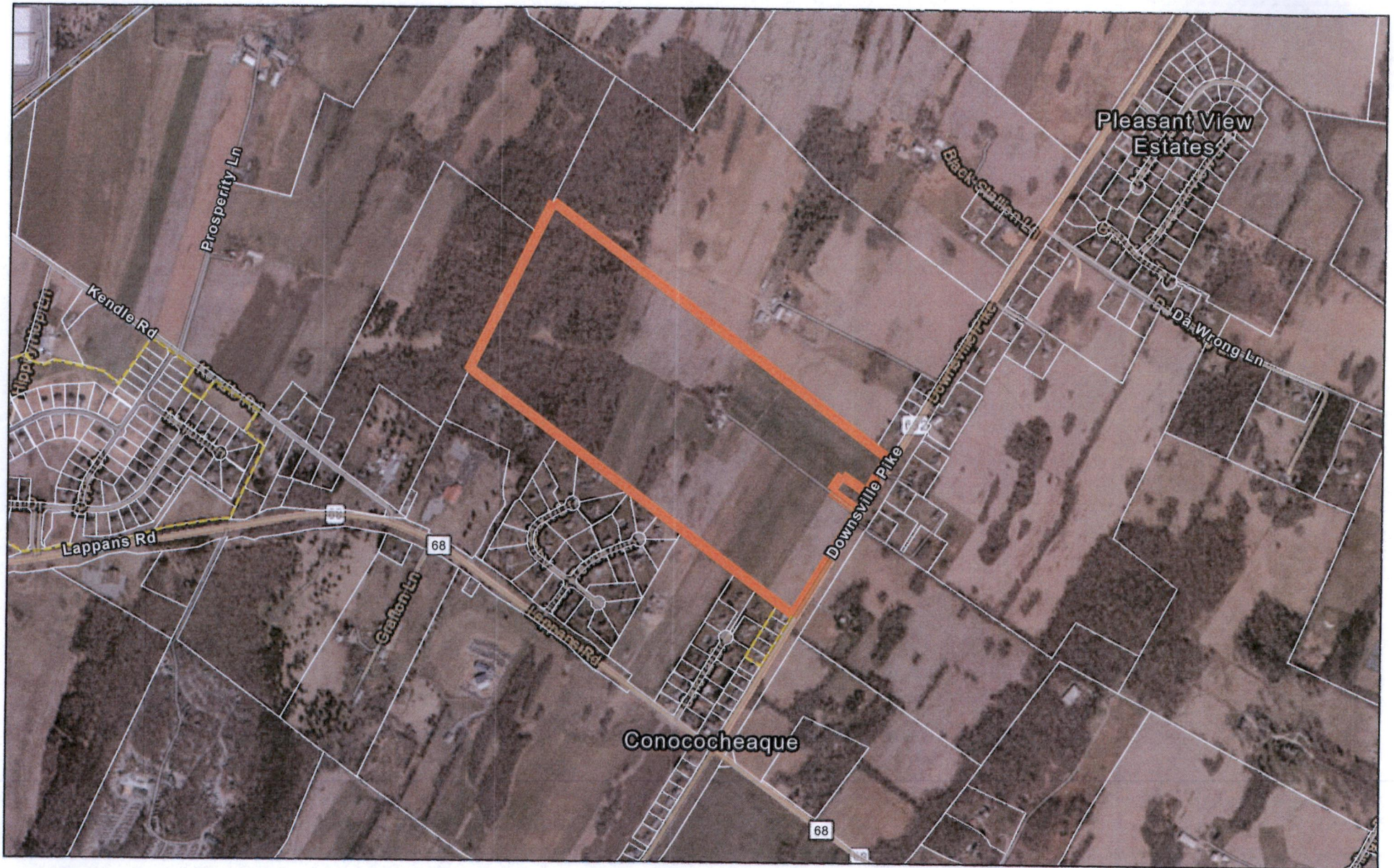
- D. Outside storage of materials will not exceed ten (10) percent of the lot area, but not exceed 5,000. No outside storage is proposed nor anticipated.**
- E. Signage for the business is limited to one (1) sign not more than ten (10) SF in total sign area. Applicant will abide by the sign design standards.**
- F. Hours of operation for the business are to be approved as a part of the special exception by the Board. The applicant intends to keep office hours of 8:00 AM-4:30 PM Monday-Friday.**
- G. The use has no other evidence of being visible, audible or abnormally odoriferous from the outside of the dwelling or accessory building to indicate it being used for anything other than residential purposes. The proposed accessory building for the resident business will be taking the place of the original farmhouse located on this property which is located with the following setbacks:**
 - Front- 1,450 feet**
 - Rear- 1,990 feet**
 - R Side- 392 feet**
 - L Side- 1080 feet**

As an accounting office for an existing business there will be no noise, dumpster and very little lighting.

- H. Upon approval of the special exception a minor site plan shall be submitted and approved by the Planning Commission. If the Special Exception is approved a site plan shall be submitted to the Planning Department.**

Having met or affirmatively answered all the criteria listed above the applicant hereby request the Board review the information provided and issue a favorable opinion.

Frederick Seibert & Associates, Inc.



11/17/2025, 11:14:41 AM

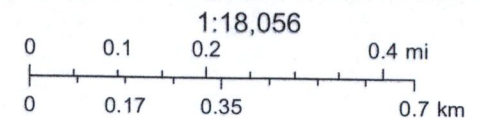
World_Transportation



FSA Boundary Resolution

MD_SixInchImagery

Parcels Washington County



Vantor, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, HERE, iPC,

Real Property Data Search ()
Search Result for WASHINGTON COUNTY

View Map No Ground Rent Redemption on File No Ground Rent Registration on File

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Account Number: District - 02 Account Identifier - 008386

Owner Information

Owner Name: 9738 DOWNSVILLE PIKE LLC Use: AGRICULTURAL
Principal Residence: NO
Mailing Address: 1825 HOWELL RD SUITE 4 Deed Reference: /07431/ 00171
HAGERSTOWN MD 21740-

Location & Structure Information

Premises Address: 9738 DOWNSVILLE PIKE Legal Description: 123.84 ACRES
HAGERSTOWN 21740-0000 9738 DOWNSVILLE PIKE

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: M 1103
0056 0023 0869 2010080.22 0000 2024 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1900 3,942 SF 123.8400 AC

StoriesBasementType Exterior QualityFull/Half BathGarageLast Notice of Major Improvements
2 YES STANDARD UNITSTUCCO/3 4 full/ 1 half
SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2024	07/01/2025	07/01/2026
Land:	117,900	117,900		
Improvements	231,200	432,500		
Total:	349,100	550,400	483,900	550,400
Preferential Land:	42,900	42,900		

Transfer Information

Seller: LEHMAN NELSON R ET AL	Date: 04/05/2024	Price: \$1,850,000
Type: ARMS LENGTH IMPROVED	Deed1: /07431/ 00171	Deed2:
Seller: LEHMAN IRENE R	Date: 01/13/2015	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /04891/ 00258	Deed2:
Seller: SHANK EARL R	Date:	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /00589/ 00816	Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2025	07/01/2026
County:	0.00	
State:	0.00	
Municipal:	0.00 0.00	0.00 0.00

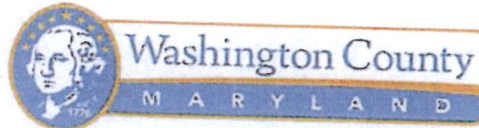
Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:



BOARD OF ZONING APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that ED SCHREIBER
 is authorized to file an appeal with the Washington County Board of Appeals for
SPECIAL EXCEPTION on property
 located 973B DOWNSVILLE PIKE, HAGERSTOWN MD 21740
 The said work is authorized by 973B DOWNSVILLE PIKE, LLC c/o TODD SNOOK
 the property owner in fee.

PROPERTY OWNER
973B DOWNSVILLE PIKE, LLC
c/o TODD SNOOK

Name

Address 1825 HOWELL ROAD, SUITE 4

Address

City, State, Zip Code HAGERSTOWN, MD 21740

City, State, Zip Code

Todd Snook
 Owner's Signature

Sworn and subscribed before me this 3rd day of NOVEMBER, 20 25.

Notary Public

My Commission Expires: FEB. 17, 2027

MICHAEL LEE FISHER
 Notary Public - State of Maryland
 Washington County
 My Commission Expires Feb 19, 2027

AUTHORIZED REPRESENTATIVE

ED SCHREIBER, c/o FSA
 Name

Name

Address 128 S. POTOMAC ST

Address

City, State, Zip Code HAGERSTOWN, MD 21740

City, State, Zip Code

[Signature]
 Authorized Representative's Signature

Sworn and subscribed before me this 1th day of November, 20 25.

Notary Public

My Commission Expires: 9/15/2028

Nikki S. Eichelberger
 747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing Impaired: 7-1-1

A(R)-Agriculture (Rural)
 EC-Environmental Conservation
 P-Preservation
 RV-Rural Village
 RB-Rural Business
 IM-Industrial Mineral

TABLE No 3.3(1) W.C.Z.O.
 (RURAL AREA USES)

LAND USES	A(R)	EC	P	RV	RB	IM	Intensity of Use
Nursing/Convalescent Homes.	N	N	N	N	P	N	MODERATE
Transitional or Sheltered Care Facility, not to include Assisted Living Facilities.	N	N	N	N	P	N	MODERATE
J. Housing							
Dwelling unit in conjunction with a principal non-residential use	SE	SE	SE	SE	P	N	LOW
Dwellings, semi-detached	SE	SE	SE	P	N	N	N/A
Dwellings, single family	P	P	P	P	N	N	N/A
Dwellings, two-family	P	P	P	P	N	N	N/A
Home, occupation	A	A	A	A	N	N	N/A
Home, resident business	SE	SE	SE	SE	N	N	N/A
Mobile Homes	P	P	P	N	N	N	N/A
Model Homes	P	P	P	P	N	N	N/A
Temporary residential sales office	P	P	P	P	N	N	N/A
K. Manufacturing¹⁰							
Abattoirs, slaughterhouses, stockyards	N	N	N	N	P	N	HIGH
Brewery, Farm with a valid Class 8 manufacturing license	P	P	P	P	P	N	MODERATE
Brewery, Commercial with a valid Class 5 manufacturing license	SE	SE	SE	SE	P	N	MODERATE
Carpentry or woodworking shops	SE	SE	SE	SE	P	N	HIGH
Concrete and ceramic products manufacture, including ready-mixed concrete plants	N	N	N	N	P	P	HIGH
Flour mill, grain milling or drying	N	N	N	N	P	N	HIGH
Food processing and packing plants; provided such use shall be located two (2) times the distance requirements specified in Section 4.9	SE	SE	SE	N	P	N	HIGH
Grain elevators, grain bins, and feed mills, primarily for wholesale use.	P	SE	SE	N	P	N	MODERATE
Machine Shops	SE	SE	SE	SE	P	N	MODERATE
Recycling facilities	N	N	N	N	P	N	HIGH
Sawmills & Lumber Drying	SE	SE	SE	N	P	N	MODERATE
Sawmills, Temporary	P	P	P	N	N	P	HIGH
Wind mill farms	SE	SE	SE	SE	N	N	N/A
Wineries, Farm with a valid Class 4 manufacturing license	P	P	P	P	P	N	MODERATE
Wineries, Commercial with a valid Class 3 manufacturing license	SE	SE	SE	SE	P	N	MODERATE

P-Permitted
 SE-Special Exception
 A-Accessory
 N-Not Permitted

ARTICLE 28A - DEFINITIONS WCZO

manufacturing, industrial operations or pilot plant involving machines or operations normally associated with production or assembly lines or the production of goods in quantity above that needed for product testing and evaluation.

Research Institution:²⁴⁵

A non-profit or for-profit organization, establishment, or other entity engaged in conducting original investigation on a systematic basis to gain new knowledge, and/or the application of research findings or other scientific knowledge for the creation of new or significantly improved products or processes.

A research institution typically conducts its research, experimental development, and analyses in a defined field, such as physical, engineering, life or social sciences, or the humanities. The use includes the necessary laboratory and pilot production areas required to conduct the research.

Resident Business:²⁴⁶

A special exception use of a dwelling or accessory structure, as approved by the Board of Appeals, conducted solely by a member or members of the family residing therein and not more than two (2) non-resident employees, which is incidental or subordinate to the main use of the building for dwelling purposes and meets the following criteria:

- A. The use does not exceed more than five thousand (5,000) square feet of the floor space of the dwelling or an accessory structure;
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- C. Freight and delivery traffic shall not be to a greater extent than would normally result from residential occupancy unless otherwise approved by the Board;
- D. Other non-residential vehicular traffic resulting from patronage will not exceed five (5) peak hour trips.
- E. Outside storage of materials will not exceed ten (10) percent of the lot area, but not to exceed 5,000 square feet in any instance;
- F. Signage for the business is limited to one (1) sign not more than ten (10) square feet in total sign area;
- G. Hours of operation for the business is approved as part of the special exception by the Board;
- H. The use has no other evidence being visible, audible or

²⁴⁵

Revision 17, definition added 4/17/12, eff. 7/1/12 (RZ-10-005/ORD-2012-07)

²⁴⁶

Revision 18, Resident Business definition amended 9/1/15 (RZ-14-002) (ORD-2015-20)

abnormally odoriferous from the outside of the dwelling to indicate it is being used for anything other than residential purposes.

- I. Upon approval of the special exception a minor site plan shall be submitted and approved by the Planning Commission.

Resort:

A building or buildings containing guest rooms where, for compensation, lodging and meals are provided, located on a lot at least seventy-five percent of the land area of which shall be used to provide recreational facilities for the use of its guests. Such recreational facilities may include a golf course, swimming pool, tennis courts, and may include bridle paths, hiking trails, and other similar or related facilities, but no outdoor amusement devices other than normal playground equipment.

Restaurant, Drive-In:

Any place or premises used for the sale, dispensing, or serving of food or beverages to patrons in automobiles, including those establishments where the patrons, in addition to being accommodated in their automobiles, may also be accommodated within the premises.

Restoration:

The process of accurately recovering the form and details of a property as it appeared during a particular period of time by means of removal of later work and the replacement of missing original work.

Retail Sales:²⁴⁷ Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Manufacturing of products sold on site may be permitted provided the manufacturing process is accessory and subordinate to the selling activities.

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Riding Academy/Stable:

An establishment or lot where horses, ponies, or other such animals used for transportation/recreation are boarded and cared for or commercially hired out whether with or without instruction in riding.

²⁴⁷ Revision 16, definition added 12/1/09, eff. 2/1/2010 (RZ-09-003/ORD-09-10)
²⁴⁸ Revision 16, definition added 12/1/09, eff. 2/1/2010 (RZ-09-003/ORD-09-10)



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

ZONING APPEAL

Property Owner: 9738 Downsville Pike LLC
1825 Howell Road
Suite 4
Hagerstown MD 21740

Appellant: 9738 Downsville Pike LLC
1825 Howell Road
Suite 4
Hagerstown MD 21740

Property Location: 9738 DOWNSVILLE Pike
Hagerstown, MD 21740

Description Of Appeal: Special exception to establish a resident business for an accounting office in accessory structure.

Docket No: AP2025-029
Tax ID No: 02008386
Zoning: A(R)
RB Overlay: No
Zoning Overlay:
Filed Date: 11/19/2025
Hearing Date: 12/10/2025

Appellant's Legal Interest In Above Property:

Owner:	Yes	Contract to Rent/Lease:	No
Lessee:	No	Contract to Purchase:	No
Other:			

Previous Petition/Appeal Docket No(s):

Applicable Ordinance Sections: Washington County Zoning Ordinance Table No. 3.3 (1) J

Reason For Hardship:

If Appeal of Ruling, Date Of Ruling:

Ruling Official/Agency:

Existing Use: Residential

Proposed Use: Resident Business

Previous Use Ceased For At Least 6 Months:

Date Ceased:

Area Devoted To Non-Conforming Use -

Existing:

Proposed:

I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 20 day of November, 2025.

Nov. 7, 2029

My Commission Expires

Notary Public





WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2025-029

State of Maryland Washington County, To Wit:

On 11/19/2025, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Frederick Seibert and Associates and made oath in due form of law as follows:

Frederick Seibert and Associates will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 12/10/2025, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

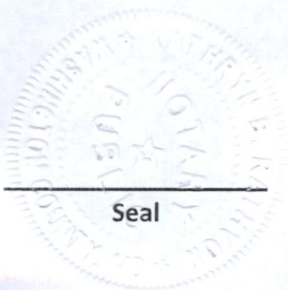
Sign(s) will be posted on 11/25/2025 and will remain until after the above hearing date.

Frederick Seibert and Associates

Sworn and subscribed before me the day and year first above written.

Notary Public

My Commission Expires





WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

BOARD OF ZONING APPEALS

ATTENTION!

Posting Instructions

The premises MUST be posted in accordance with the following rules:

1. The sign must be posted a minimum of fourteen (14) days prior to the public hearing
Section 25.51(c) Property upon which the application or appeal is concerned shall be posted conspicuously by a zoning notice no less in size than twenty-two (22) inches by twenty-eight (28) inches at least fourteen (14) days before the date of the hearing.
2. The sign must be placed on the property within ten (10) feet of the property line which abuts the most traveled public road.
3. The sign must be posted in a conspicuous manner not over six (6) feet above the ground level, and affixed to a sturdy frame where it will be clearly visible and legible to the public.
4. The sign shall be maintained at all times by the applicant until after the public hearing. If a new sign is needed or required, please contact the Plan Review Department at 240-313-2460.
5. An affidavit certifying the property will be posted for the minimum of fourteen (14) days prior to the public hearing date.

Proper posting of the sign will be spot checked by the Zoning Inspector. IF SIGN IS NOT IN COMPLIANCE, IT MAY RESULT IN RESCHEDULING OF THE HEARING.



Project Name: Resident Business for 9738 Downsville Pike LLC

Owner/Applicant: 9738 Downsville Pike LLC

Project Address: 9738 Downsville Pike, Hagerstown, MD 21740

Tax Map 56 **Grid** 23 **Parcel** 869

Account # 02-008386

Zoning: A(R)

Special Exception for a Resident Business

As outlined in Table 3.3(1) of the Washington County Zoning Ordinance, the proposed Resident Business Use requires a public hearing and approval by the Board of Zoning Appeals. The business will be operated by members of the family residing on the property, with no more than two (2) non-resident employees, as permitted by the ordinance.

The proposed resident business is an accounting office serving an existing Tri-State area business owned and operated by the owners of the land and will be located within an accessory building on the 123-acre farm. The existing dwelling on the property will be demolished and replaced with a new single-family residence to be occupied by the owners of the land.

The business will remain incidental and subordinate to the primary residential use of the property and complies with the following applicable criteria:

The use does not exceed more than five thousand (5,000) SF of the floor space of the dwelling or an accessory structure. **The applicant is proposing a 5,000 SF building.**

- A. The use will not generate vehicular parking that would exceed spaces for the employee & equipment. **Six (6) parking spaces are proposed.**
- B. Freight and delivery traffic shall not be to a greater extent than would normally result from a residential occupancy unless otherwise approved by the Board. **One or two UPS deliveries per day is anticipated.**
- C. Other non-residential vehicular traffic resulting from patronage will not exceed five (5) peak hour trips. **Very few additional trips are anticipated. The proposed use is to be an accounting office for**

an existing business, very little walk in traffic is currently experienced nor anticipated.

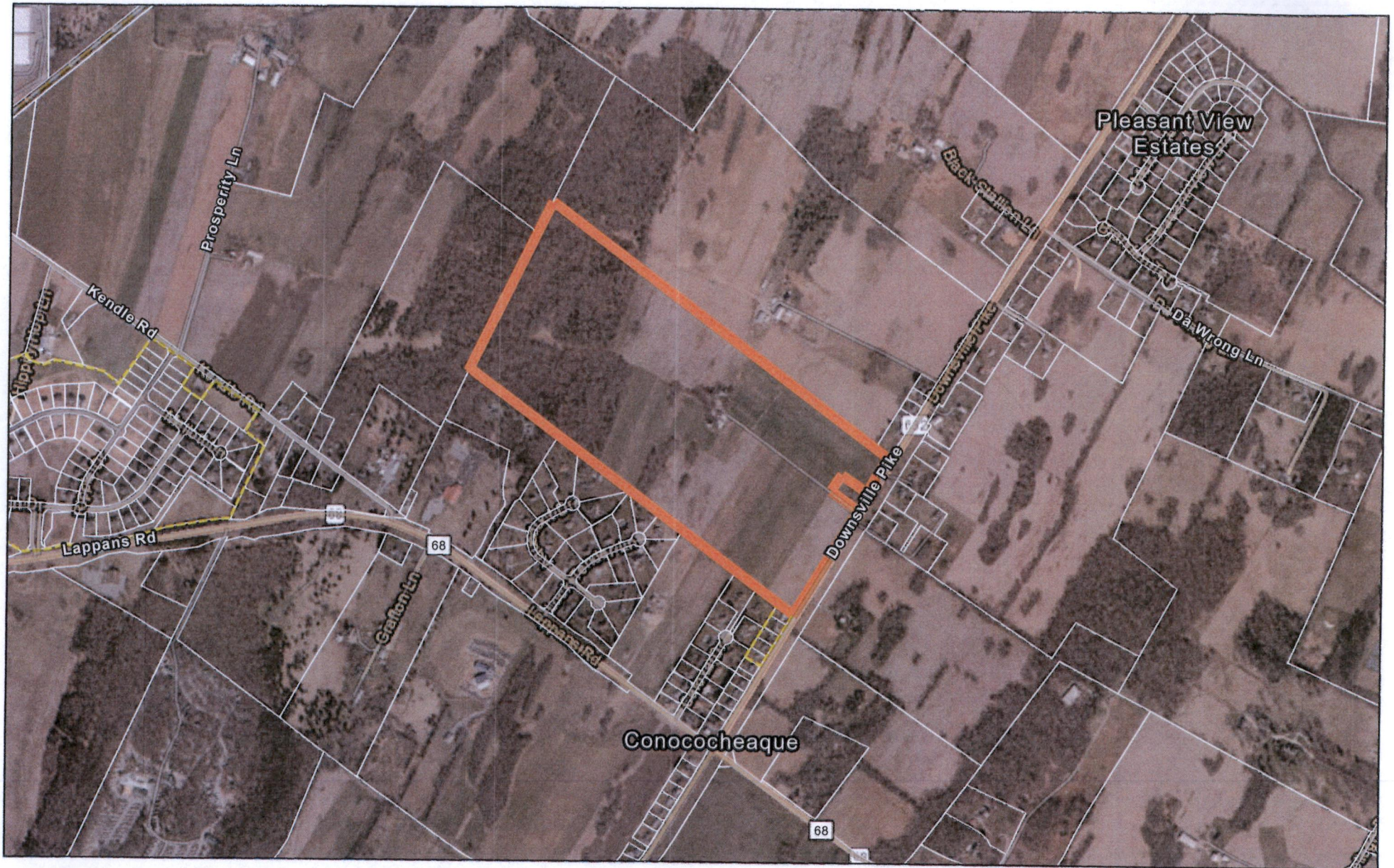
- D. Outside storage of materials will not exceed ten (10) percent of the lot area, but not exceed 5,000. No outside storage is proposed nor anticipated.**
- E. Signage for the business is limited to one (1) sign not more than ten (10) SF in total sign area. Applicant will abide by the sign design standards.**
- F. Hours of operation for the business are to be approved as a part of the special exception by the Board. The applicant intends to keep office hours of 8:00 AM-4:30 PM Monday-Friday.**
- G. The use has no other evidence of being visible, audible or abnormally odoriferous from the outside of the dwelling or accessory building to indicate it being used for anything other than residential purposes. The proposed accessory building for the resident business will be taking the place of the original farmhouse located on this property which is located with the following setbacks:**
 - Front- 1,450 feet**
 - Rear- 1,990 feet**
 - R Side- 392 feet**
 - L Side- 1080 feet**

As an accounting office for an existing business there will be no noise, dumpster and very little lighting.

- H. Upon approval of the special exception a minor site plan shall be submitted and approved by the Planning Commission. If the Special Exception is approved a site plan shall be submitted to the Planning Department.**

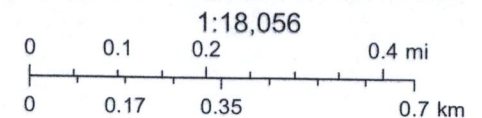
Having met or affirmatively answered all the criteria listed above the applicant hereby request the Board review the information provided and issue a favorable opinion.

Frederick Seibert & Associates, Inc.



11/17/2025, 11:14:41 AM

World_Transportation  FSA Boundary Resolution
MD_SixInchImagery  Parcels Washington County



Vantor, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, HERE, iPC,

Real Property Data Search ()
Search Result for WASHINGTON COUNTY

View Map No Ground Rent Redemption on File No Ground Rent Registration on File

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Account Number: District - 02 Account Identifier - 008386

Owner Information

Owner Name: 9738 DOWNSVILLE PIKE LLC Use: AGRICULTURAL
Principal Residence: NO
Mailing Address: 1825 HOWELL RD SUITE 4 Deed Reference: /07431/ 00171
HAGERSTOWN MD 21740-

Location & Structure Information

Premises Address: 9738 DOWNSVILLE PIKE Legal Description: 123.84 ACRES
HAGERSTOWN 21740-0000 9738 DOWNSVILLE PIKE

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: M 1103
0056 0023 0869 2010080.22 0000 2024 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1900 3,942 SF 123.8400 AC

StoriesBasementType Exterior QualityFull/Half BathGarageLast Notice of Major Improvements
2 YES STANDARD UNITSTUCCO/3 4 full/ 1 half
SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2024	07/01/2025	07/01/2026
Land:	117,900	117,900		
Improvements	231,200	432,500		
Total:	349,100	550,400	483,900	550,400
Preferential Land:	42,900	42,900		

Transfer Information

Seller: LEHMAN NELSON R ET AL	Date: 04/05/2024	Price: \$1,850,000
Type: ARMS LENGTH IMPROVED	Deed1: /07431/ 00171	Deed2:
Seller: LEHMAN IRENE R	Date: 01/13/2015	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /04891/ 00258	Deed2:
Seller: SHANK EARL R	Date:	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /00589/ 00816	Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2025	07/01/2026
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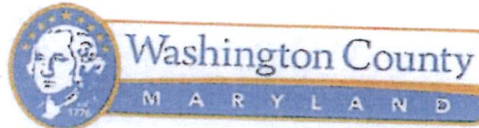
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Homestead Application Status: No Application

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Homeowners' Tax Credit Application Status: No Application Date:



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 the property owner in fee.

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973B DOWNSVILLE PIKE, LLC
c/o TODD SNOOK

Name

Address 1825 HOWELL ROAD, SUITE 4

Address

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City, State, Zip Code

Todd Snook
 Owner's Signature

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 Washington County
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AUTHORIZED REPRESENTATIVE

ED SCHREIBER, c/o FSA
 Name

Name

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City, State, Zip Code HAGERSTOWN, MD 21740

City, State, Zip Code

[Signature]
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My Commission Expires: 9/15/2028

Nikki S. Eichelberger
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Home, resident business	SE	SE	SE	SE	N	N	N/A
Mobile Homes	P	P	P	N	N	N	N/A
Model Homes	P	P	P	P	N	N	N/A
Temporary residential sales office	P	P	P	P	N	N	N/A
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ARTICLE 28A - DEFINITIONS WCZO

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Revision 17, definition added 4/17/12, eff. 7/1/12 (RZ-10-005/ORD-2012-07)

²⁴⁶

Revision 18, Resident Business definition amended 9/1/15 (RZ-14-002) (ORD-2015-20)

abnormally odoriferous from the outside of the dwelling to indicate it is being used for anything other than residential purposes.

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Riding Academy/Stable:

An establishment or lot where horses, ponies, or other such animals used for transportation/recreation are boarded and cared for or commercially hired out whether with or without instruction in riding.

²⁴⁷ Revision 16, definition added 12/1/09, eff. 2/1/2010 (RZ-09-003/ORD-09-10)

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